

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Madeline Cox Arleo
v. : Mag. No. 04-3510
TERRY PEPPERS, : ORDER FOR CONTINUANCE

This matter having come before the Court on the application of Christopher J. Christie, United States Attorney for the District of New Jersey (Marc Agnifilo, Assistant U.S. Attorney, appearing), and defendant Terry Peppers (Kenneth Kayser, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter for a period of ninety days from October 14, 2004 to January 12, 2005, to allow the defendant and the Office of the United States Attorney for the District of New Jersey to pursue plea negotiations and finalize a plea agreement, and the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his arrest pursuant to Title 18 of the United States Code, Section 3161(b), and the defendant having consented to the continuance in the above-captioned matter, and it appearing that the defendant waives such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;


(2) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, IT IS on this 7th day of November, 2004,

ORDERED that this action be, and it hereby is, continued for a period of 90 days from October 14, 2004 until January 12, 2005; and it is

FURTHER ORDERED that the period between October 14, 2004 and January 12, 2005, shall be excludable in computing time under the Speedy Trial Act of 1974.


HON. MADELINE COX ARLEO
United States Magistrate Judge


Consented to by Kenneth Kayser, Esq.
for Defendant Terry Peppers